

**Federal Defenders  
OF NEW YORK, INC.**

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December 11, 2015

**Via Fax**

Aissatou Minthe  
Program Director  
Brooklyn House  
104 Gold Street  
Brooklyn, NY 11201  
FAX: (718) 498-0808

**Re: Frank Boatswain, Reg. No. 73907-053**

Dear Ms. Minthe,

My client, Frank Boatswain, Reg. No. 73907-053, is currently a resident at your facility, pending the completion of his federal sentence on February 25, 2016.

Mr. Boatswain leaves the facility regularly to travel to and from his place of employment; however, he has been denied passes to visit his family. He has been told this is because there is a public safety hold on him due to certain past criminal charges. This was confusing to Mr. Boatswain, given that the charges in that case were dismissed.

On two occasions, our office has spoken with Federal Bureau of Prisons Designation and Sentence Computation Center personnel and received confirmation that there is no hold on Mr. Boatswain. Therefore, he should not be denied passes on this basis. After our first conversation with BOP – prior to the Thanksgiving holiday – we were told the Bureau would contact your facility directly and inform you of this error. Mr. Boatswain continued to be denied passes, preventing him from spending time with his family on Thanksgiving, which prompted us to contact BOP a second time. Once again, BOP personnel confirmed that there is no public safety hold on Mr. Boatswain, and informed us that BOP had in fact previously contacted your facility and explained that there had been a mistake. During this conversation, we were told that it was against BOP policy to provide any sort of written confirmation of this information, and that your facility should have access to the same database as BOP showing that there is no hold.

On December 11, 2015, our office spoke with you on the phone. During this conversation, you told us that you had spoken to BOP and received contradictory information,

i.e. that Mr. Boatswain did, in fact, have a public safety hold on him. But given that BOP has told us on two occasions that there is no hold, you offered to reach out to BOP again. You also mentioned that your facility has submitted an application for Mr. Boatswain's approval for home detention, but that this process might take up to a month – or longer. While Mr. Boatswain would certainly still like to be released to home detention, and appreciates your assistance in this process, this is separate from the home visit pass procedure.

With the holidays fast approaching, Mr. Boatswain is, understandably, especially anxious to remedy this situation. I appreciate your prompt attention to this matter.

Sincerely,

/s/

Michelle Gelernt  
Counsel to Frank Boatswain  
Federal Defenders of New York, Inc.  
One Pierrepont Plaza, 16th Floor  
Brooklyn, NY 11201  
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Cc: Chambers of the Honorable Sandra Townes  
United States District Judge  
Eastern District of New York

Federal Bureau of Prisons  
Designation and Sentence Computation Center